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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,310	05/30/2001	Glenn A. Reitmeier	SAR14144	7646

31908 7590 08/22/2005

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EXAMINER

SRIVASTAVA, VIVEK

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/870,310	Applicant(s) REITMEIER, GLENN A.	
	Examiner Vivek Srivastava	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 6, 8, 9, 11 – 12 and 14 - 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Bendinelli et al (US 6,792,618) in view of Reynolds et al (US 6,745,390).

Regarding claim 1, Bendinelli discloses a set-top box 106 or 'computer peripheral device' (see fig 4) configurable between a computer processor 112 and television 108 (see fig 4). Bendinelli further discloses (a) the computer peripheral device 106 is configured to receive a video signal from the computer processor 112 (see fig 4). Bendinelli discloses (b) the set-top box 106 is configured to receive a TV signal from a broadcast transmitter 102 or 'TV source' and thus discloses the claimed 'television interface'. Bendinelli inherently discloses (c) the claimed device processor configured to combine the digital video signal and a TV video signal from each TV signal to generate a combined video signal. It is noted that the claimed device processor is inherently included in the set-top box to provide the combined output for

simultaneous display of both signals (see col 2 lines 17 – 30, col 4 lines 33 – 47, see 222, 220 in fig. 5) to the television display 122.

Although Bendinelli discloses outputting a video signal from the computer to the peripheral set-top, Bendinelli fails to disclose the signal is digital. Official Notice is taken a digital signal is well known to provide a better resolution and thus higher quality signal. Therefore, it would have been obvious to modify Bendinelli to include outputting a digital signal for the benefit of provide a higher resolution signal for display.

Although Bendinelli discloses the functional equivalence of televisions and computer monitors, in particular, that television or computer monitor can be used to display the combined signal (see fig 4, fig 5, col 7 lines 28 – 38). Reynolds teaches coupling a set-top to a computer monitor provides a resolution of 480 x 640 pixels and provides a display capability of at least 256 colors (see col 3 lines 34 – 50). Therefore, it would have been obvious to further modify Bendinelli to provide a computer monitor in figure 4 in place of the television for the benefit of having a higher resolution display capable of displaying at least 256 colors.

Regarding claims 2, 8 and 15, Bendinelli discloses the TV signal can be displayed in / overlaid in a window in a web page video signal corresponding to the web site (see col 6 lines 5 – 10). It is noted the combination of Bendinelli and Reynolds teaches the claimed digital signal as discussed above.

Regarding claims 3 and 16, Bendinelli discloses the TV video signal can be displayed within a window in the web page. It is noted that the processor must

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automatically scale and thus modify one or more dimensions of each TV signal to fit it in the smaller window (see col 6 lines 5 – 13, col 4 lines 33 – 47).

Regarding claim 4, Bendinelli discloses a data interface (see two way path coupling the set-top to the processor in fig 4) configured to communicate with the computer processor 112 wherein the processor receives location and size of the corresponding window from the computer processor to merge and display the combined signal (see col 6 lines 5 – 13).

Official Notice is taken it would have been well known to provide dimensions for a window within a display signal to provide the exact size of the window in terms of length and height or width and height. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Berdinelli to include the claimed limitation for the benefit of providing the exact size of the displayed window in terms of length and height or width and height

Regarding claims 5, 11 and 12, Berdinelli discloses the set-top device processor receives information as to the size and location of each window in the web-page from computer processor or TV signal (see col 6 lines 5 – 13, col 4 lines 33 – 47) but fails to disclose the claimed dimensions of each window.

Official Notice is taken it would have been well known to provide dimensions for a window within a display signal to provide the exact size of the window in terms of length and height or width and height. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Berdinelli to include

the claimed limitation for the benefit of providing the exact size of the displayed window in terms of length and height or width and height.

Regarding claims 6 and 19, as discussed above, it would have been obvious to modify Bendinelli to include the claimed dimensions. Bendinelli further discloses a plurality of windows can be present (see col 6 lines 5 – 12). Necessarily, the set-top device processor would determine the location and dimensions of the corresponding window based on specified keying information or control information received from the web server. It is noted that keying information would comprise information for placing and displaying the plurality of windows

Regarding claim 9, Bendinelli discloses a set-top peripheral device can communicate with the computer processor by communicating URL's to the processor (see fig 4).

Regarding claim 14, Bendinelli receiving the digital video signal and TV signal as discussed above but fails to disclose the claimed transmitting the combined digital video signal to a computer monitor. Please see reasons above for obviousness.

Regarding claim 17, Bendinelli discloses the computer peripheral device receives location information and size information from the computer and Internet web site (see col 6 lines 5 – 13). It is noted that the set-top box combines the signals and thus must receive the location and size information. Bendinelli fails to disclose the claimed dimensions of the corresponding window.

Official Notice is taken it would have been well known to provide dimensions for a window within a display signal to provide the exact size of the window in terms of length

and height or width and height. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Berdinelli to include the claimed limitation for the benefit of providing the exact size of the displayed window in terms of length and height or width and height.

Claims 18 and 20 are met by that discussed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 10, 13, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berdinelli et al (US 6,792,618).

Regarding claim 13, Bendinelli discloses a web site server 120 (fig 4, col 6 lines 5 – 13 and 45 – 59), a computer-implemented method comprising the steps of (a) generating signals from a web server 120 (fig 4) corresponding to a web site supported by the web server (see col 6 lines 5 – 13). Bendinelli further discloses (b) transmitting the signals from the web site server 120 or a computer processor 112 in the computer network 116 (see fig 4). It is noted that network 116 is the Internet (see col 6 lines 38 – 40). It is further noted that signals received over the Internet are digital signals. Bendinelli further discloses the signals received comprise control information or

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instructions as to for implementation by the computer processor for coordinating combination of the digital video signal corresponding to the web site with at least one TV signal from a TV source (see col 6 lines 5 – 13). It is noted that information embedded with the computer signal (see col 6 lines 5 – 13) specify outputting from the computer embedded information (see col 6 lines 45 – 57) related to combining the web page and TV video signal from TV source 102 for providing a combined signal for display on TV 108.

Bendinelli fails to disclose the claimed outputting a combined digital signal. Official Notice is taken a digital signal is well known to provide a better resolution and thus higher quality signal. Therefore, it would have been obvious to modify Bendinelli to include outputting a digital signal for the benefit of provide a higher resolution signal for display.

Regarding claims 10 and 22, Bendinelli discloses wherein the device processor extracts data from the at least one TV signal and transmits the extracted data to the computer processor via the data interface, wherein the extracted data comprises at least one URL message used by the web browser to provide a web-page layout (see col 4 lines 7 – 32, col 4 lines 5 – 35).

Bendinelli fails to disclose the claimed updated web-page layout. Official Notice is taken it would have been well known to provide an updated web page to provide the most up-to-date and recent web page data. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify

Bendinelli to include the claimed limitation for the benefit of having the most up-to-date and recent web page data.

Regarding claims 7 and 21, Bendinelli discloses wherein the retrieved information includes audio playing the audio in place of at least part of the audio portion of the program (see col 9 lines 15 – 20).

Bendinelli fails to disclose the claimed generating a combined audio signal and transmitting the one or more combined audio signals to the computer speakers.

Official Notice it would have been well known to combine and output audio signals to provide a single continuous audio signal thus minimizing breaks or interruptions. Therefore, it would have been obvious to modify Bendinelli to include combining the received one or more audio signals with the TV audio signal for the benefit or providing a single continuous audio signal thus minimizing breaks or interruptions in the presentation.

Official Notice is taken it would have known to include speakers with a computer monitor to enhance the viewers multimedia experience. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Bendinelli to include the speaker with the monitor to enhance a user's multimedia experience.

Conclusion

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bellamy (US 6,209,025) – Integrated video system

Philyaw et al (US 6,643,692) – Controlling a computer using a code

Walker et al (US 6,262,505) – Supplying supplemental information


Antos (US 5,790,201) – Television and computer capability

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Srivastava whose telephone number is (571) 272-7304. The examiner can normally be reached on Monday – Friday from 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272 – 7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vs



VIVEK SRIVASTAVA
PRIMARY EXAMINER